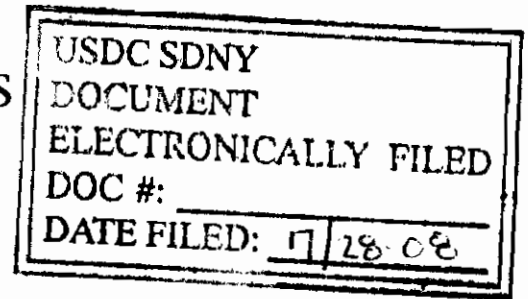


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Robert P. Fumo
Direct Dial: (917) 778-6603

Please reply to the New York City Office

July 23, 2008

VIA OVERNIGHT MAIL

Chambers of Magistrate Ellis
U.S. Federal District Court
500 Pearl Street, Rm. 1970
New York, N.Y. 10007

Re: Anne Ng v. Blue Water Grill, Inc.
Date of Loss: 5/15/2007
Case No.: 07/CIV5897

Dear Magistrate Ellis:

Let this confirm that my law office represents defendant Blue Water Grill, Inc. in the above-captioned Federal Court action. A conference is scheduled in your court on Tuesday, **July 29, 2008**.

Please note that this law office had attempted to fax this letter pursuant to Your Honor's direction that a letter be forwarded to you on or about July 22, 2008 regarding the status as to whether or not this law office has in fact received the necessary authorizations and medicals from plaintiff's office. However, when this office contacted the chambers, we were unable to obtain the fax number and were told to "overnight" the letter.

Let this confirm my law office has now received, on July 16, 2008, the outstanding authorizations for Dr. Andrilli, as well as the authorization for copies of pleadings arising from the pending lawsuit of the plaintiff's prior motor vehicle accident of November 02, 2002. Although this office has sent these authorizations out to be processed to Dr. Andrilli's office, and to the plaintiff's current personal injury attorney in the other action, these records have not been received to date.

As discussed at the prior conference, these records are crucial to the defense of this litigation of course, as they concern Ms. Ng's physical condition prior to the subject accident at the Blue Water Grill, Inc. It is noted that plaintiff Ng was a passenger in a vehicle insured by American Transit which after being rear ended on November 01, 2002 at West 22nd Street and Eighth Avenue in Manhattan by a vehicle registered in New Jersey, allegedly resulted in cervical injuries to Anne Ng at C4-5, 5-6 and 6-7 at lumbar injuries at L4 and L5.

*Law Office of John P. Humphreys is not a partnership or professional corporation and is
Staff Counsel For The Travelers Indemnity Company and its Property Casualty Affiliates*

This office notes that the plaintiff testified that she "could not recall" having a MRI performed before the 05/15/07 accident. This office has been informed that MRI examinations were in fact taken after this motor vehicle accident, which was of course prior to the subject incident at the Blue Water Grill which is the focus of the litigation before Your Honor. It is unknown as to whether or not this MRI testing was done at the direction of Dr. Andrilli, whose authorization has now been exchanged.

Given that the outstanding authorizations were just received and sent to the provider, it is requested that the **July 29, 2008** scheduled conference be necessarily adjourned. Given that it is anticipated it may take at least two to three more weeks for the responses to the authorizations to be obtained by this office, it is thus requested that the conference be adjourned until Tuesday, August 19, 2008.

Please contact me at 917-778-6603 with any questions.

Regards,

Robert P Fumo

Robert P. Fumo (5535)

RPF:dk

cc:

McCAR
52 Duane
New York
Attn: Will
*Tuesday
Aug 19
11:00 A.M.*

*Adjourned to August 19, 2008
at 11:00 am*

SO ORDERED

Ronald L. Ellis

MAGISTRATE JUDGE RONALD L. ELLIS